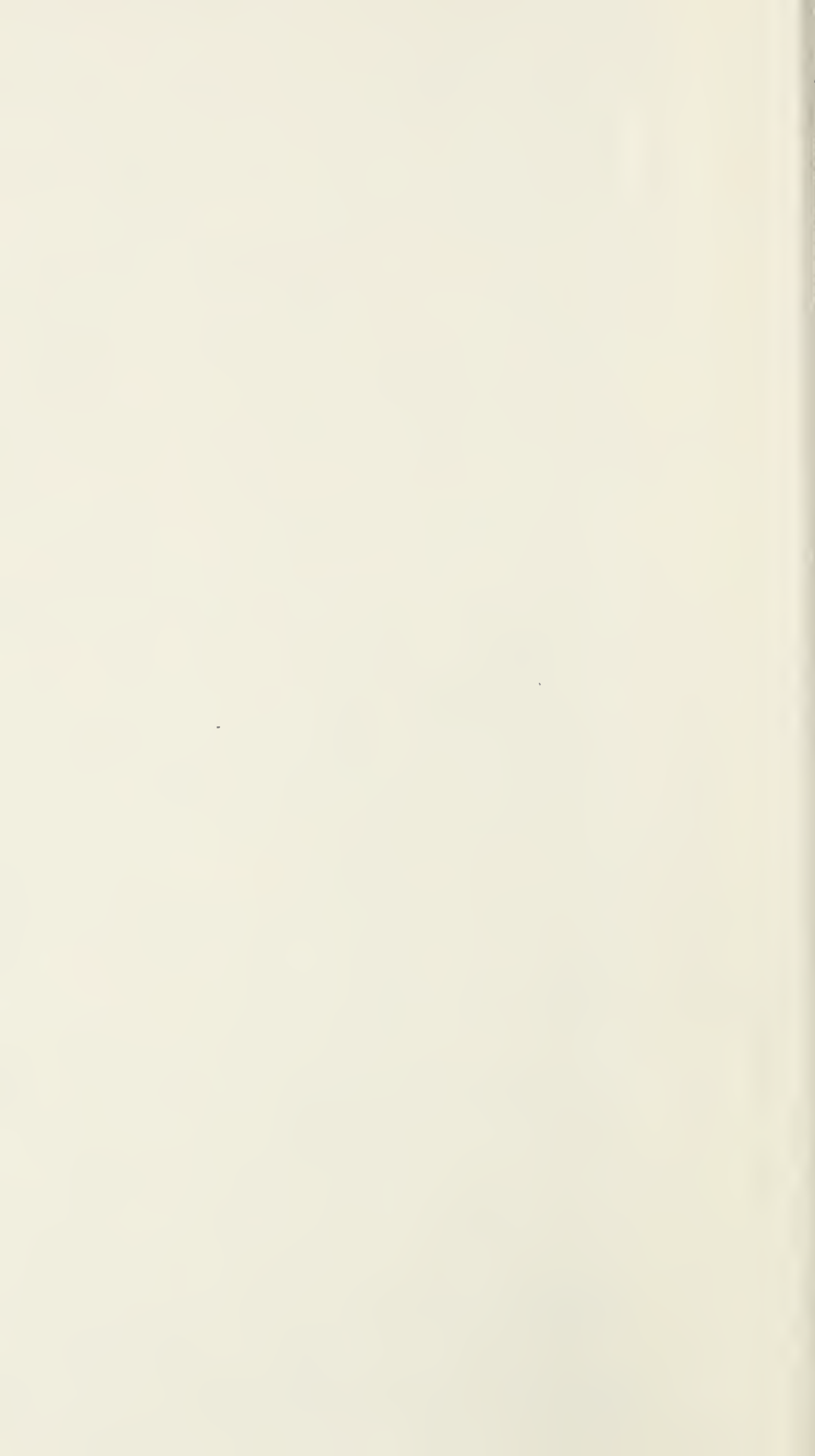




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# LEGISLATIVE PROPOSALS 1989



**Massachusetts Department of Education  
Office of Legislative Affairs  
February, 1989**

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## INTRODUCTION

The 1989 legislative recommendations reflect the Board of Education's continuing commitment to improve the public schools of Massachusetts by addressing the educational goals and academic achievement of at-risk youth, particularly in urban districts. The legislation is crafted to assist school districts serving at-risk youth by providing funds to transport homeless students to school and to reduce an imbalance of minority students; expanding incentives to provide special education in the least restrictive environment; expanding services to parents of young children, particularly teenage parents; strengthening literacy programs which afford support for poor, undereducated, and underemployed adults; and investigating the value of changing the use of the school year in order to accommodate the special needs of students deficient in the basic skills.

## LEGISLATIVE PROPOSALS 1989

**H.96, An Act Assisting Cities And Towns In Meeting The Costs Of Special Education Placements For Certain Children**, would provide financial assistance to local school districts for special education costs. The Department's current policy of assigning the last known residence of the parents of "abandoned children" as the community of responsibility for these children's special education costs may be unfair to that community. The Board has expressed a strong interest in having the Commonwealth assume the financial burden of these children. Additionally, Board policy supports having the Commonwealth make a direct payment to private residential schools for its 60% share of the cost of such private school placements.

*(Full text on page 5.)*

**H.97, An Act Establishing An Incentive Grant Program To Expand Integrative Educational Opportunities For Students With Special Needs**, would establish an incentive grant program to school districts to provide special education in the least restrictive environment, and incorporates into statute the funding provision currently implemented through budget language. The proposed legislation is broadened this year to include students currently attending substantially separate public school programs as well as private day or residential programs.

*(Full text on page 7.)*

**H.98, An Act Increasing Aid For School Construction**, would correct an omission in Chapter 394 of the Acts of 1984. Chapter 394 provides 60-75% reimbursement for school construction costs of approved school projects. However, the differential for K-12 regional school districts was deleted. This bill would restore that differential.

*(Full text on page 9.)*

**H.99, An Act Providing For The Reimbursement Of Expenses Incurred Transporting Certain Students**, would permit 100% reimbursement by the Commonwealth of the cost of transporting pupils for the purpose of reducing or eliminating an imbalance of minority students. The proposed legislation would also provide school districts with 100% state reimbursement for the costs of transporting students back to their school or the school of the parents' choice when students are placed temporarily in emergency shelters for the homeless outside of their school districts.

*(Full text on page 11.)*



**H.100, An Act To Establish An Early Childhood Family Education Outreach Program**, would establish a program to award grants to school districts to establish comprehensive early childhood family education outreach programs. Programs would provide services to parents of young children aged birth through eight, and would be targeted toward parents of children at-risk and teenage and other expectant parents. The programs would be designed to strengthen the family unit and to promote positive parent/child relationships. Priority would be given to proposals which demonstrate linkages with local, state, and federal resources such as community mental health, adult education, dropout prevention, Head Start, and comprehensive health education programs.

*(Full text on page 13.)*

**H.101, An Act Establishing Additional Assistance For Educating Those Students Whose First Language Is Not English**, would amend the School Finance Law (Chapter 70) and the Equal Education Opportunity Grant Program Law (Chapter 70A) by granting an additional pupil weight for students whose first language is not English who are not currently in Transitional Bilingual Education (TBE) Programs for legitimate reasons and for whom there is an approved plan for supplemental educational services. Chapter 70 currently provides an additional pupil weight only for students in the TBE program.

*(Full text on page 15.)*

**H.102, An Act To Strengthen Workforce Literacy**, would provide for the development over the next three to five years of a comprehensive delivery system for adult basic education and adult English As A Second Language services that would ensure better employment opportunities for those in need. The legislation reaffirms the Board's priorities for adult literacy, reflects consensus across the field, and provides a unifying programmatic structure for the delivery of adult literacy services in Massachusetts.

*(Full text on page 17.)*

**H.103, An Act Requiring Grandfathered English As A Second Language (ESL) Teachers To Meet Current Certification Requirements**, is targeted toward linguistic minority students who are in need of specialized educational services. In 1982, the Board set up ESL certification standards which required specialized training in ESL. At this time, teachers who had been teaching ESL before 1982 were "grandfathered" in, or allowed to continue teaching ESL without meeting the new ESL certification requirements. This bill would assist such teachers to receive additional training in ESL in

order to obtain the current ESL certificate by providing a mechanism for them to be reimbursed by the Commonwealth for their educational expenses.  
*(Full text on page 19.)*

**H.104, An Act To Investigate Using Extended School Year Pilot Programs For At-Risk Students**, proposes pilot projects to extend the length of the school year in select elementary schools serving high numbers of students deficient in basic skills. The primary purposes of the pilot are to increase student academic achievement, reduce absentee rates, establish educational continuity throughout the school year, and provide the opportunity for teachers to increase their salaries. The state would provide grants to districts for planning, teacher salaries, and transportation costs.  
*(Full text on page 21.)*

**H.105, An Act Extending Certain Discretionary Grants Over Two Years**, would allow school districts to use state discretionary grants over a two-year period for the purpose of planning and establishing summer school remedial programs. Currently all funds must be expended in one year. In many instances, a one-year grant period does not allow sufficient planning and program operation time for districts even with the best fiscal management. The carry-over would be permitted for discretionary grants, aiming to address the needs of districts with significant numbers of at-risk youth.  
*(Full text on page 22.)*

**H.106, An Act Clarifying The Special Education Appeals Process**, would bring the special education appeals system in compliance with federal law as it pertains to the appellate role of the State Advisory Commission for Special Education (SAC). The United States Department of Education has determined that the appellate authority exercised by the SAC is inconsistent with federal law. This bill would remove the administrative review function from the SAC, thus eliminating the inconsistency.  
*(Full text on page 23.)*

**H.107, An Act Allowing The Employment Of Regionally Certified Teachers**, is designed to make the reciprocal certification system among states in the Northeast Region more efficient and useful to educators and school systems in the New England states and New York. Under the terms of the compact a teacher certified by any one state could apply also for a regional certificate which would be valid immediately for two years in any of the states in the compact.  
*(Full text on page 24.)*





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**IN THE YEAR ONE THOUSAND NINE HUNDRED  
AND EIGHTY-NINE**

**AN ACT ASSISTING CITIES AND TOWNS IN MEETING THE  
COSTS OF SPECIAL EDUCATION PLACEMENTS FOR CERTAIN  
CHILDREN**

*Be it enacted by the Senate and House of Representatives in  
General Court assembled, and by the authority of the same, as  
follows:*

**H.96**

**SECTION 1.** Chapter 71B of the General Laws, as appearing in the 1986 Official Edition is hereby amended by striking section 5A and inserting in place thereof the following section:-

**Section 5A.** Whenever a school age child with special needs is determined by a school committee or the bureau of special education appeals to be in need of a special education program at a residential school pursuant to the procedures set forth in regulations promulgated by the department, the commonwealth and school committee shall be jointly obligated to pay the cost of the program. The school committee shall pay forty percent of the total cost of the residential program rate established by the rate setting commission, and the commonwealth shall pay sixty percent of the total cost of the residential program. The commonwealth's obligation under this paragraph shall become due and payable, after approval and verification provided in accordance with department standards, to the residential school within sixty days of receipt of a request for payment from said school.

When a school age child with special needs residing in the commonwealth has no father or mother or guardian living in the commonwealth who can be found after reasonable efforts to do so, the department will assign a school committee to provide a special education program for that child. If such child is determined by the school committee or the bureau of special education appeals to be

in need of a special education program at a day or residential school, pursuant to the procedures set forth in the regulations promulgated by the department, the commonwealth shall be obligated to pay the cost of the day or residential program at the rate established by the rate setting commission under sections thirty-one to forty-six, inclusive, of chapter six A. The commonwealth's obligation under this paragraph shall become due only after approval and verification by the department that all costs incurred herein are reasonable and are for special education programs at day or residential schools provided in accordance with the standards and requirements prescribed by the regulations promulgated under this chapter.

In undertaking such verification as may be required under this section, the commission may require submission of any institution.

**SECTION 2.** Nothing contained in this act shall affect the obligation of any agency of the commonwealth to pay for a placement in a day or residential program made prior to the effective date of this act. Any agreement between any agency of the commonwealth and a school committee, whether formal or informal, governing payment for services to a special needs child shall continue in full force and shall not be superseded by this act. The provisions of this act shall not affect the obligation of any human services agency of the commonwealth to provide services to children, aged three to twenty-two, inclusive, under any provision of law in effect prior to the effective date of this act.

**SECTION 3.** This act shall take effect on July first, nineteen hundred and eighty-nine.





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**IN THE YEAR ONE THOUSAND NINE HUNDRED  
AND EIGHTY-NINE**

**AN ACT ESTABLISHING AN INCENTIVE GRANT PROGRAM  
TO EXPAND INTEGRATIVE EDUCATIONAL OPPORTUNITIES FOR  
STUDENTS WITH SPECIAL NEEDS**

*Be it enacted by the Senate and House of Representatives in  
General Court assembled, and by the authority of the same, as  
follows:*

**H.97**

**SECTION 1.** Chapter 71B of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by inserting after section 11 the following section:-

**Section 11A.** There is hereby established a discretionary grant program to be called the incentive grant program to expand integrative educational opportunities for students with special needs. Subject to appropriation, the Board of Education annually may award grants to school committees and to educational collaboratives for the purpose of funding planning costs and start-up programs which provide children with special needs greater opportunities to receive their education with children without special needs. In awarding such grants, the Board shall fund programs developed for children currently attending substantially separate public school, private day or residential programs subject to Chapter 71B. Criteria for the approval of such grant proposals shall be established in guidelines adopted by the Board. Such criteria shall include, but not be limited to, program accessibility and integration of children who have special needs with their peers in regular education. Funds awarded under the incentive grant program may be used for program planning, salaries of special education teachers, administrative or other staff, training of

personnel, adaptive equipment or such other purposes as may be determined by the Board as necessary to permit such special education programs to begin operation.

The Department shall provide technical assistance to school committees and educational collaboratives in grant development and program implementation and shall collect, disseminate and publicize information regarding model programs. The Department shall ensure that programs funded under this section are evaluated to determine the degree to which students placed in such programs actually participate with children without special needs.





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**IN THE YEAR ONE THOUSAND NINE HUNDRED  
AND EIGHTY-NINE**

**AN ACT INCREASING AID FOR SCHOOL CONSTRUCTION**

*Be it enacted by the Senate and House of Representatives in  
General Court assembled, and by the authority of the same, as  
follows:*

**H.98**

**SECTION 1.** Section 9 of chapter 645 of the Acts of 1948 as most recently amended by section 3 of chapter 394 of the Acts of 1984, is hereby further amended by striking out the second paragraph and subsection (d) and inserting in place thereof the following subsections:-

(a) The total construction grant for any approved school project in any city, town, regional school district that does not include grades kindergarten through twelve, or county shall be fifty percent of the final approved costs of such project, including costs referred to in section seven, multiplied by a percentage, which shall be the proportion, to the nearest tenth of one percent, which the most recent equalized valuation per school attending child for the entire commonwealth bears to the most recent equalized valuation per school attending child of the city or town, or in the case of such regional school districts, of the towns comprising such district, or in the case of a county, of the towns comprising such county, provided, however, that no grant shall be approved for any amount less than sixty percent nor greater than seventy-five percent of such approved costs.

(b) The total construction grant for the approved school project in a regional school district that includes grades kindergarten through twelve shall be sixty percent of the final approved cost, including costs referred to in section seven, multiplied by a percentage, which shall be the proportion, to the nearest tenth of one percent, which the most recent equalized valuation per school

attending child for the entire commonwealth bears to the most recent equalized valuation per school attending child of the towns comprising such district; provided, however, that no grant shall be approved for any amount less than sixty percent nor greater than seventy-five percent of such approved costs.

**SECTION 2.** Section 3 of Chapter 645 of the Acts of 1948, as most recently amended by Section 2 of Chapter 746 of the Acts of 1987, is hereby further amended by striking out the paragraph numbered (2) contained in the definition of "Total construction grant" and inserting in place thereof the following numbered paragraphs:-

**SECTION 3.** This act shall apply to all grants approved after June 25, 1984.

(2) In the case of a grant for an approved project of a regional school district, including less than the full range of grades kindergarten through twelve, or a county, the total construction grant shall be the sum of the grants computed separately for each city and town which is a member of said regional school district or located in said county as hereinafter provided. For purposes of this computation each member city's and town's share of the combined grant shall be equal to the total approved project cost, including costs referred to in section seven, multiplied by the product of the reimbursement percentage listed in section twelve (a), multiplied by the percentage of district or county capital costs that would be apportioned to such city or town in accordance with the applicable regional school district agreement or law for capital costs incurred in the fiscal year in which the grant is approved. The amount of the total capital costs apportioned to a member city or town in any fiscal year on account of an approved school project of a regional school or county, determined in accordance with the applicable regional school district agreement or law, shall be reduced by an amount equal to the amount of the grant payable on account of such project in such fiscal year multiplied by a fraction the numerator of which is the city's or town's reimbursement percentage, determined as aforesaid, multiplied by the percentage of capital costs apportioned to the city or town for such fiscal year in accordance with the applicable regional school district agreement or law, and the denominator of which is the sum of the percentages so derived as the numerators for all of the member cities and towns.

(3) In the case of a grant for an approved project of a regional school district that includes grades kindergarten through twelve, the total construction grant shall be the total approved project cost, including costs referred to in section seven, multiplied by the highest reimbursement percentage among its member municipalities as listed in section twelve.





IN THE YEAR ONE THOUSAND NINE HUNDRED  
AND EIGHTY-NINE

AN ACT PROVIDING FOR THE REIMBURSEMENT OF  
EXPENSES INCURRED TRANSPORTING CERTAIN STUDENTS

*Be it enacted by the Senate and House of Representatives in  
General Court assembled, and by the authority of the same, as  
follows:*

**H.99**

**SECTION 1.** The fourth paragraph of Section 11 of chapter 15 of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by adding at the end of the paragraph the following sentence:

The Commonwealth shall, subject to appropriation and upon the approval of the Board, pay to a city, town, or regional district school committee one hundred percent of the cost of transportation for the purpose of reducing or eliminating an imbalance of minority students, as defined in regulations promulgated under the federal Emergency School Aid Act, Title VII of Public Law 92-318, as amended.

**SECTION 2.** Chapter 76 of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by inserting after Section 7 the following section:

7A. The Commonwealth shall, subject to appropriation, pay to a city, town or regional school district one hundred percent of the cost of transportation of students temporarily placed in shelters for the homeless not more than twice daily between any school within the town, or in another town and such temporary shelter; provided however that no reimbursement for transporting a pupil between school and a temporary shelter for the homeless shall be made if

the distance between the school and said shelter is less than one and one-half miles, measured by a commonly traveled route. Notwithstanding the provisions of any special or general law reimbursement under this section is limited to the costs incurred for the transportation of pupils temporarily placed in shelters for the homeless located in a city or town other than the city or town such students resided in prior to their placement in a shelter.

For the purpose of this section shelter for the homeless includes transitional housing, battered women's shelters, family shelters, adolescent shelters, hotels and motels.





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**IN THE YEAR ONE THOUSAND NINE HUNDRED  
AND EIGHTY-NINE**

**AN ACT ESTABLISHING AN EARLY CHILDHOOD FAMILY  
EDUCATION OUTREACH PROGRAM**

*Be it enacted by the Senate and House of Representatives in  
General Court assembled, and by the authority of the same, as  
follows:*

**H.100**

**SECTION 1.** Chapter 15 of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by inserting after Section 54 the following section:

**Section 54A.** There is hereby established an Early Childhood Family Education Outreach Grant Program. The Board of Education may, subject to appropriation, annually award grants to school committees and to educational collaboratives for the purpose of developing comprehensive early childhood family education outreach programs which would provide outreach services to teenage parents and parents of young children, from birth through eight years, particularly those in jeopardy of being at-risk. The Early Childhood Family Education Outreach Grant Program shall encourage and support the development of programs that provide an opportunity for substantial parental participation in learning activities with their children as well as in program planning, decision making, and implementation.

The purpose of such programs is to strengthen the family unit and to promote positive parent/child relationships. Such programs may include, but are not limited to, programs to increase parental knowledge about the social, emotional, physical, and cognitive development of young children; to increase parental skills in supporting their children's growth and development; to provide

learning experiences for children and parents through the establishment of parent-child groups and/or home visits; and to provide information on and to link related community resources and services.

At least seventy-five percent of the funds appropriated for grants awarded under this section shall be allocated to programs serving low income sites, as determined by the Board. Criteria for determining what constitutes a low income site shall include, but not be limited to, the same criteria which are used to qualify schools for Chapter 1 of the Federal Education Consolidation and Improvement Act of 1981.

Proposals which describe linkages with other human service resource programs and which seek to combine a number of funding sources shall be given priority by the Board. Other agencies and programs may include, but are not limited to, local, state and federal programs, such as community mental health programs, adult education, drop-out prevention, comprehensive health education, and Chapter 1.

The Board shall establish guidelines governing the administration of this program.



**IN THE YEAR ONE THOUSAND NINE HUNDRED  
AND EIGHTY-NINE**

**AN ACT ESTABLISHING ADDITIONAL ASSISTANCE FOR  
EDUCATING STUDENTS WHOSE FIRST LANGUAGE IS NOT  
ENGLISH**

*Be it enacted by the Senate and House of Representatives in  
General Court assembled, and by the authority of the same, as  
follows:*

**H.101**

**SECTION 1.** The first paragraph of Section 2A of Chapter 70 of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by adding at the end thereof, the following sentence:-

(6) a pupil whose first language is not English who is not enrolled in a program of transitional bilingual education, but who is receiving auxiliary services pursuant to standards established by the board of education, shall be assigned a pupil weight of 1.40.

**SECTION 2.** The second paragraph of said section four of said chapter seventy, as so appearing, is hereby amended by inserting after subparagraph (e) the following subparagraph:-

(f) certification that pupils whose first language is not English who are not enrolled in programs of transitional bilingual education, but who are reported under section 2A as receiving auxiliary services, have received said services pursuant to standards established by the board of education.

**SECTION 3.** Section 2 of Chapter 70A of the General Laws is hereby amended by striking the definition of “sum of weighted full time equivalent pupils, in cities, towns or regional school districts in classifications of school districts other than vocational schools,” and inserting in place thereof the following definition:-

“Sum of weighted full-time equivalent pupils, in cities, towns or regional school districts in classification of school districts other



than vocational schools,” the number of full-time equivalent pupils enrolled in regular day, special needs, vocational or transitional bilingual education programs multiplied by the pupil weight cost factor for the program or programs in which the pupil is enrolled as set forth in section two A of Chapter seventy, except that a full-time equivalent pupil enrolled in a transitional bilingual education program in accordance with the provisions of chapter seventy-one A and the regulations promulgated thereunder shall be assigned a pupil weight of 2.00, the additional weight for low income pupils shall be 1.00 and a full-time equivalent pupil whose first language is not English who is not enrolled in a program of transitional bilingual education, but who is receiving auxiliary services pursuant to standards established by the board of education shall be 2.00.

**SECTION 4.** Said section two of said chapter seventy A, as so appearing, is hereby further amended by striking the definition of “sum of weighted full-time equivalent pupils in cities, towns, regional school districts and independent vocational schools in the vocational school classification of school districts,” and inserting in place thereof the following definition:-

“sum of weighted full-time equivalent pupils in cities, towns, regional school districts and independent vocational schools in the vocational school classification and school districts, the number of full-time equivalent pupils enrolled in regular day, special needs, vocational or transitional bilingual education programs multiplied by the pupil weight cost factor for the program or programs in which the pupil is enrolled as set forth in section two A of chapter seventy, except that a full-time equivalent pupil enrolled in a vocational education program shall be assigned a pupil weight of 1.00, a pupil enrolled in a transitional bilingual education program in accordance with the provisions of chapter seventy-one A and the regulations promulgated thereunder shall be assigned a pupil weight of 2.00, the additional weight for low income students as determined by the board shall be 1.00 and a full-time equivalent pupil whose first language is not English who is not enrolled in a program of transitional bilingual education, but who is receiving auxiliary services pursuant to standards established by the board of education, shall be 2.00.”

**SECTION 5.** Nothing in this act shall be deemed to abridge or otherwise limit the right of children of limited English-speaking ability to receive appropriate instruction in a program of transitional bilingual education under chapter 71A of the General Laws.



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**IN THE YEAR ONE THOUSAND NINE HUNDRED  
AND EIGHTY-NINE**

**AN ACT TO STRENGTHEN WORKFORCE LITERACY**

*Be it enacted by the Senate and House of Representatives in  
General Court assembled, and by the authority of the same, as  
follows:*

**H.102**

**SECTION 1.** Chapter 69 of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by inserting after section 36 the following three sections:

**SECTION 37.** The Department of Education in coordination with other state agencies shall develop a comprehensive system subject to appropriation for the delivery of adult basic education and literacy services that will ensure opportunities leading to universal basic adult literacy and better employment opportunities.

Said system shall be designed to strengthen, enhance, and where needed, to create intensive community based literacy programs for AFDC recipients and other unemployed and marginally employed adults who need a foundation of basic skills to qualify for further education, job training and employment. These trainees shall include parents of young children who need strong basic skills to move their families out of poverty and raise the educational aspirations of their children.

Said system shall also include instruction for immigrants, migrants, and refugees who need English language and literacy skills to function effectively at home and in the workplace.

Instruction to the aforesaid populations will emphasize instruction at the lowest grade levels.

Said system shall further include instruction for young persons, aged sixteen through twenty-four, who have dropped out of school without sufficient skills to qualify for employment. Instruction shall be designed with emphasis on linking education with vocational training and supported work.

**SECTION 38.** In order to accomplish the goals set out in Section One of this act and to strengthen the capacity of the current adult literacy network, the Department of Education shall distribute grants to provide comprehensive literacy services, including support services, in the context of adults' daily lives in their communities, including, but not limited to, public housing, schools, the work place, correctional institutions, community-based organizations, community colleges, libraries, and in social and cultural organizations.

The Department shall endeavor to develop the following objectives: (1) a full continuum of services that take an adult from the lowest level of literacy or English language proficiency through high school completion leading to advanced education and training; (2) a network of well-trained, full-time adult literacy and English as a Second Language professional instructors, qualified to provide high quality effective services; (3) a strong documentation and evaluation capacity that will enable the state to determine what methods of instruction and what means of service delivery are most effective in educating adults; (4) and coordinated accountability mechanisms that simplify existing reporting and refunding processes.

**SECTION 39.** The sum of eight million dollars is hereby appropriated for fiscal year nineteen hundred and ninety to develop this system under the auspices of the Department of Education in coordination with other agencies through the Commonwealth Literacy Campaign and the Interagency Literacy Task Force, ten percent of which shall be expended for statewide staff development, evaluation, and technical assistance to programs and five percent of which shall be expended for administration.





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**IN THE YEAR ONE THOUSAND NINE HUNDRED  
AND EIGHTY-NINE**

**AN ACT REQUIRING GRANDFATHERED ENGLISH AS A  
SECOND LANGUAGE TEACHERS TO MEET CURRENT  
CERTIFICATION REQUIREMENTS**

*Be it enacted by the Senate and House of Representatives in  
General Court assembled, and by the authority of the same, as  
follows:*

**H.103**

**SECTION 1.** Section 8 of Chapter 847 of the Acts of 1973, as most recently amended by Chapter 865 of the Acts of 1977, is hereby further amended by adding the following sentence after the second sentence.

Notwithstanding any general or special law to the contrary, effective January one, nineteen hundred ninety-three, no person shall be eligible to be employed by a school committee to teach English as a second language, unless that person meets the board's standards for certification as a teacher of English as a second language under the board's regulations for teacher certification which took effect September one, nineteen hundred eighty-two.

**SECTION 2.** All teachers of English as a second language who are employed by a school district to teach students of limited English proficiency on the effective date of this act and who do not meet the board's standards for certification as a teacher of English as a second language under the board's regulations for teacher certification which took effect September one, nineteen hundred eighty-two, shall have a three year period from the effective date of this act to obtain such certification.

**SECTION 3.** The Board of Education, subject to appropriation, shall establish a program for the purpose of providing grants to assist those teachers of English as a second language who are

employed by a school district to teach students of limited English proficiency on the effective date of this act and who do not meet the board's standards for certification as a teacher of English as a second language in obtaining the additional training in order to meet the requirements for certification as a teacher of English as a second language as set forth in the board's regulations for teacher certification. Such grants shall be limited to the reimbursement of the tuition costs of those courses necessary for such teachers to obtain certification as a teacher of English as a second language. The Board of Education shall establish guidelines governing the administration of this program.



**IN THE YEAR ONE THOUSAND NINE HUNDRED  
AND EIGHTY-NINE**

**AN ACT TO INVESTIGATE USING EXTENDED SCHOOL  
YEAR PILOT PROGRAMS FOR AT-RISK STUDENTS**

*Be it enacted by the Senate and House of Representatives in  
General Court assembled; and by the authority of the same, as  
follows:*

**H.104**

**SECTION 1.** Chapter 15 of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by inserting after section 65 the following section:

**Section 66.** There is hereby established an Extended School Year Grant program for the purpose of funding a three year pilot project for elementary schools in districts serving high numbers of students deficient in basic skills to determine whether extending the school year is an effective approach for meeting the needs of these students. The Board may, subject to appropriation, award grants to individual public elementary schools which agree to extend their school year by no more than forty days. The Board shall develop guidelines regarding grant selection criteria, program implementation, submission of data and evaluation. Data required to be submitted by participating schools shall include but not be limited to, class size, student and teacher absentee rates, parent, teacher and community satisfaction with the program and the annual costs for teacher salaries and benefits. All programs funded under the pilot shall be evaluated to determine the effect of an extended school year on the following: student academic achievement, absentee rates, and teacher salaries. The Department shall provide technical assistance to the schools selected to participate in the pilot.





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**IN THE YEAR ONE THOUSAND NINE HUNDRED  
AND EIGHTY-NINE**

**AN ACT EXTENDING CERTAIN DISCRETIONARY GRANTS  
OVER TWO YEARS**

*Be it enacted by the Senate and House of Representatives in  
General Court assembled, and by the authority of the same, as  
follows:*

**H.105**

**SECTION 1.** Section 37A of Chapter 71 of the General Laws is hereby amended by adding at the end of the paragraph the following sentence:

Notwithstanding any general or special law to the contrary the Board of Education may authorize a school committee to expend in the following fiscal year, any discretionary grant funds received from the Board that are not expended during the fiscal year in which they were appropriated so long as such expenditure is consistent with the original purpose of such grant.



**IN THE YEAR ONE THOUSAND NINE HUNDRED  
AND EIGHTY-NINE**

**AN ACT TO CLARIFY THE SPECIAL EDUCATION APPEALS  
PROCESS**

*Be it enacted by the Senate and House of Representatives in  
General Court assembled, and by the authority of the same, as  
follows:*

**H.106**

**SECTION 1.** The thirteenth paragraph of Section 3 of Chapter 71B of the General Laws, as appearing in the 1986 Official Edition, is hereby eliminated.



**IN THE YEAR ONE THOUSAND NINE HUNDRED  
AND EIGHTY-NINE**

**AN ACT ALLOWING THE EMPLOYMENT OF REGIONALLY  
CERTIFIED TEACHERS**

*Be it enacted by the Senate and House of Representatives in  
General Court assembled, and by the authority of the same, as  
follows:*

**H.107**

**SECTION 1.** Section 38G of Chapter 71 of the General Laws as most recently amended by Chapter 188 of 1985 is hereby further amended by striking out the fifteenth paragraph and inserting in place thereof the following paragraph:

This section shall not apply to trade, vocational, temporary substitute teachers, exchange teachers, regionally licensed or certified teachers or to teaching or administrative interns, provided approval for the employment of such personnel shall be granted by the board under such rules and regulations as it may adopt. As used in this section, a "temporary substitute" shall be one employed for less than a school year to take the place of a regularly employed teacher who is absent by reason of illness or by reason of educational leave, maternity leave, military leave, sabbatical leave or other leave. As used in this section a "teaching or administrative intern" shall be a student who has completed his student teaching requirements and seeks additional experience in teaching or administrative positions. As used in this section a "regionally licensed or certified teacher" shall be an applicant for a teacher's certificate in Massachusetts who has been granted a regional license or certificate by another state jurisdiction under terms of a contract entered into pursuant to Chapter 748 of the Acts of 1968 or the Interstate Agreement on Certification of Education Personnel.



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